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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/661,939

09/12/2003

Frank A. Skraly

MBX 048

8379

23579 7590 06/08/2009

Pabst Patent Group LLP
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SUITE 320
ATLANTA, GA 30309

EXAMINER

CHOWDHURY, IQBAL HOSSAIN

ART UNIT

PAPER NUMBER

1652

MAIL DATE

DELIVERY MODE

06/08/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: FRANK A. SKRALY

Appeal No. 2008-4417
Application 10/661,939
Technology Center 1600

Mailed: June 8, 2009

Before DALE M. SHAW, *Chief Appeals Administrator*

ORDER REMANDING TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on June 5, 2008. Upon review of the application, it has been determined that a remand to Examiner, via the Office of the Director of the Technology Center, is necessary to consider the following issues and to take necessary corrective action.

EXAMINER'S ANSWER, MISSING REFERENCE

The Examiner relied on the references **Whisstock**, "Prediction of protein function from protein sequence and structure"; **Branden**, "Introduction to protein structure"; **Witkowski**, "Conversion of a beta-ketoacyl synthase to a malonyl decarboxylase by replacement of the active-site cysteine with glutamine"; and **Seffernick**, "Melamine deaminase and atrazine chlorohydrolase: 98 percent identical but functionally different" in rejecting the claims. The above noted references are not of record in the Image File Wrapper (IFW).

CONCLUSION

Accordingly, it is

ORDERED that this application be returned to the Examiner to:

- 1) obtain the above noted references;
- 2) complete the IFW by having the missing references obtained scanned into the IFW file;
- 3) provide copies of the missing references obtained to Appellant; and
- 4) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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